

STATE OF INDIANA)
) SS:
COUNTY OF SULLIVAN)

IN THE SULLIVAN CIRCUIT COURT
2009 TERM
CAUSE NO. 77C01-0906-MI-00228

OSCAR GUILLEN, SR.,)
 Plaintiff)
)
 VS.)
)
KEITH BALL)
 Defendant)

FILED
IN CIRCUIT COURT
JUL -6 2009
Ann Smith Mischler
Clerk, Sullivan Circuit Court


ORDER

Pursuant to I.C. 34-58-1-1, this Court has examined Plaintiff's Complaint and has determined, pursuant to I.C. 34-58-1-2, that the claim is frivolous in that it does not have an arguable basis in the law and may not state a claim upon which relief may be granted for the following reasons:

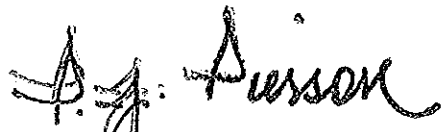
1. The Plaintiff is suing another inmate for Breach of Contract wherein he alleges the two were bartering commissary items such as stamps and headphones.
2. The Court finds that this type of behavior is a Class B Offense, and as such, the Court will not enforce any such "Contract" as the same is again Department of Correction Policy.

Based on the foregoing, the Plaintiff's PRISONER COMPLAINT is dismissed with prejudice. A copy of this PRISONER COMPLAINT is forwarded to the Litigation Department at Wabash Valley Correctional Facility for investigation purposes.

SO RECOMMENDED this 6th day of July, 2009.


ANN SMITH MISCHLER, Magistrate
Sullivan Circuit Court

SO ORDERED this 6th day of July, 2009.


P. J. PIERSON, Judge
Sullivan Circuit Court



Distribution:

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